

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2014-__**

**APPROVING PARCEL MAP PM 2014-3 DIVIDING THE PROPERTY LOCATED AT
2085 MORA AVENUE INTO 3 PARCELS**

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2 **WHEREAS**, on June 25, 2014, the property owners submitted a parcel map to
3 divide the property located at 2085 Mora Avenue (APN 011-351-006) into 3 parcels; and

4 **WHEREAS**, the Planning Commission reviewed the parcel map during a public
5 hearing on September 24, 2014. During its review, the Planning Commission
6 considered the public record, including the staff report, findings, and written materials
7 and testimony presented by the applicant and the public during the hearing; and

8 **WHEREAS**, this action has been reviewed for compliance with the California
9 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
10 pursuant to Section 15315 (Minor Land Divisions) of the CEQA guidelines; and

11 **WHEREAS**, pursuant to Section 16.10.040 of the Calistoga Municipal Code, the
12 Planning Commission has made the following findings for approval of the parcel map:

- 13 1. That the proposed subdivision, together with the provisions for its design and
14 improvement, is consistent with the General Plan, any applicable specific plan,
15 and other applicable provisions of this code.

16 Finding: The parcel map is consistent with the Rural Residential General Plan
17 land use designation, which allows up to one dwelling unit per acre. The parcel
18 map would divide a 3.09 parcel into 3 parcels. Additionally, the project is
19 consistent with the performance standards contained in the Rural Residential
20 land use designation because the lot sizes are not in conflict with the rural
21 character, open space is preserved and the design is sensitive to Calistoga's
22 character. In addition, the proposed parcels comply with the RR Rural
23 Residential Zoning District's development standards regulating lot sizes. As such
24 the project, together with its design and improvements, is consistent with the
25 General Plan and the provisions of the Calistoga Municipal Code.

- 26 2. Except for condominium conversion projects, where no new structures are
27 added, that the design of the proposed subdivision provides, to the extent
28 feasible, for future passive or natural heating or cooling opportunities in the
29 subdivision, as described in the State Subdivision Map Act and any guidelines
30 promulgated by the Council.

31 Finding: The design of the parcel map provides, to the extent feasible, for future
32 passive or natural heating or cooling opportunities. The lots are configured in a
33 manner that will allow structures the ability to take advantage of southern
34 exposure and local climates (i.e., summer breezes).

- 35 3. That the site is physically suitable for the type and density of development.

36 Finding: The site is level and generally unconstrained. The proposed lots for
37 future single-family homes are consistent with neighboring development. This
38 residential development will be required to meet and maintain strict development
39 standards (e.g., setbacks, lot coverage and height limitations) and will be in a
40 location that would not create land use conflicts.

41 4. That the proposed subdivision has been reviewed in compliance with the
42 California Environmental Quality Act (CEQA) and that the project will not result in
43 detrimental or adverse impacts upon the public resources, wildlife or public
44 health, safety and welfare.

45 Finding: The project has been analyzed under CEQA and and is exempt from the
46 requirements of the CEQA pursuant to Section 15315 (Minor Land Divisions) of
47 the CEQA guidelines.

48 **NOW, THEREFORE, BE IT RESOLVED** based on the above findings, the
49 Planning Commission hereby approves Parcel Map PM 2014-3 creating three parcels,
50 subject to the following conditions of approval:

51 1. The configuration of the parcel map may include minor amendments, provided
52 that all proposed parcels comply with the Zoning Ordinance and General Plan,
53 and the modification does not result in any increased environmental impact. Any
54 modifications shall be subject to approval by the Planning and Building
55 Department Director and the Department of Public Works Director.

56 2. The tentative parcel map shall expire two years from approval, unless an
57 extension has been granted consistent with the City's Subdivision Code and the
58 State Subdivision Map Act.

59 3. Prior to recordation of the parcel map, all current and estimated taxes due for this
60 property shall be paid to the County Tax Collector's office.

61 4. Prior to recordation of the parcel map, the quality of life development impact fee
62 shall be paid to offset the impacts to cultural and recreation facilities.

63 5. During ground-disturbing activities, a qualified cultural resource consultant and
64 tribal member shall be present to monitor the site and activities. If archaeological,
65 historical, paleontological resources or other human remains are encountered, all
66 construction activity in the affected area shall cease and no materials shall be
67 removed until the qualified professional surveys the site and mitigation measures
68 can be proposed by the qualified professional to the satisfaction of the Planning
69 Division for approval and subsequent implementation.

70 The above statement shall also be added as a on the Final Map.

71 6. Prior to recordation of the parcel map, all parcel corners and angle points, and all
72 right-of-way curve points shall be monumented, subject to the approval of the
73 City Engineer.

74 7. All improvements and facilities required herein and as shown on any approved
75 tentative parcel map, site plan, or other documents submitted for approval, all

76 representations made by the applicants, and with the plans and specifications
77 submitted to and approved by City shall be designed and constructed to comply
78 with the General Plan, the Calistoga Municipal Code (CMC), the "Standard
79 Specifications" of the Public Works Department. Approval of the tentative parcel
80 map depicting improvements that do not conform to the CMC or City standards
81 does not constitute approval of exceptions to the CMC or City standards unless
82 explicitly stated herein or in another City resolution.

83 8. The subdivider shall be responsible for all City plan check, map check and
84 inspection costs. The subdivider shall deposit funds into a developer deposit
85 account upon the initiation of plan check services. The amount of the initial
86 deposit shall be determined by the City Engineer. Additional funds may be
87 required based upon actual plan check costs. Prior to approval of the
88 improvement plans, the subdivider shall pay any outstanding balance for plan
89 checking services and shall deposit an additional amount based upon the City's
90 estimate of inspection costs.

91 9. In the event that the City is forced to condemn or acquire off-site property interest
92 in connection with required off-site improvements, the subdivider shall fund the
93 cost of condemnation or acquisition, including but not limited to the amounts
94 necessary to purchase the easement or fee simple interest, document
95 preparation, and severance or other damages payable to the owners of the land
96 upon which the improvements are to be located, the actual cost and acquisition
97 and all fees, including attorney's fee and/or other expenses necessary to
98 prosecute the condemnation action, including expert witness and appraisal fees.

99 In the event that the City elects to proceed with acquisition or condemnation
100 pursuant to Government Code Section 66462.5, the subdivider shall, within 60
101 days of written notice by the City, deposit with the City, as an advance, the full
102 estimated cost of such acquisition or condemnation. The developer shall prepare
103 any easements or deeds necessary for off-site improvements.

104 10. The subdivider shall prepare and submit improvement plans for the construction
105 of all necessary and required improvements. All design and construction shall
106 conform to the City of Santa Rosa Standard Specifications for Public
107 Improvements, or other adopted City of Calistoga standards as applicable.

108 11. No grading or other construction shall be performed until the improvement plans
109 have been approved and signed by the City Engineer. Encroachment permits
110 and building permits will not be issued prior to the approval of the improvement
111 plans. An encroachment permit is required for any work within the City's rights of
112 way.

113 12. Tree preservation measures shall be incorporated into the design of the
114 improvements and shown on the improvement plans in accordance with the
115 City's Tree Preservation Ordinance (CMC 19.01).

- 116 13. Existing overhead utilities of 26,000 volts or less and proposed utilities, both on-
117 site and along project frontages, shall be placed underground in accordance with
118 Title 16 of the Calistoga Municipal Code.
- 119 14. Roadway Improvements:
- 120 a. Prior to recordation of the parcel map, a minimum 24-foot asphalt roadway
121 shall be constructed from Mora Avenue along the entire northern frontage
122 of the property subject to the review and approval of the Fire and Public
123 Works Departments.
- 124 b. Prior to recordation of the parcel map, the 24-foot asphalt roadway and
125 accompanying right-of-way must be realigned so that the centerline is
126 directly opposite of the right-of-way on the other side of Mora Avenue.
- 127 c. Prior to recordation of the parcel map, an adequate turn radius shall be
128 constructed of asphalt at the intersection of Mora Avenue subject to the
129 review and approval of the Fire and Public Works Departments.
- 130 Where the new roadway improvements abut existing paving, the existing
131 pavement section shall be reconstructed to provide adequate conforms.
132 The limits of such reconstruction shall be as determined by the Public
133 Works Director.
- 134 d. The structural section of all road improvements shall be designed based
135 upon a geotechnical investigation that provides the basement soils R-
136 value and expansion pressure test results. A copy of the geotechnical
137 report shall also be submitted with the first set of improvement plan check-
138 prints.
- 139 e. Prior to recordation of the parcel map or in conjunction with the
140 recordation of the parcel map, a maintenance agreement shall be
141 recorded ensuring and providing for maintenance responsibility for those
142 portions of the roadway that are not dedicated or reserved for public use.
- 143 15. Water and Sanitary Sewer Improvements:
- 144 a. Prior to recordation of the parcel map, per CMC Section 16.16.120, a
145 water main line shall be brought to the property subject to the review and
146 approval of the Public Works Department.
- 147 b. The water mains must be located in public right-of-way wherever possible.
148 Where public water and sewer mains must be located on private property,
149 all necessary easement dedications must be made prior to final
150 acceptance of the project by the City.
- 151 c. All private facilities must be located within the private property and clearly
152 identified as private on the design drawings.
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155 16. Drainage Improvements:
- 156 a. Prior to recordation of the parcel map, a preliminary engineered drainage
157 plan shall be submitted for review and approval by the Public Works
158 Department. The preliminary drainage plan shall address the roadway
159 improvements required herein and runoff resulting from development on
160 the new parcels.
- 161 b. Drainage improvements shall be designed by a civil engineer in
162 accordance with the Napa County Design Criteria and any applicable
163 adopted City drainage plans. The capacity and condition of existing
164 drainage facilities downstream of the development shall be analyzed and
165 off-site drainage improvements shall be constructed as necessary. Site
166 grading and drainage improvements shall be shown on the improvement
167 plans.
- 168 c. Improvements necessary to mitigate the run-off resulting from the
169 proposed parcels may be deferred until development, provided the
170 necessary easements are secured upon recordation of the parcel map.
- 171 d. Improvement plans shall include an erosion control (winterization) plan.
- 172 17. The subdivider shall secure all necessary rights-of-way and easements for both
173 onsite and offsite improvements. Rights-of-way and easements shall be
174 dedicated on the map or provided by grant deed. The subdivider shall prepare
175 all necessary legal descriptions and deeds.
- 176 18. The final map shall not be approved prior to approval of the improvement plans.
- 177 19. Prior to approval of the final map, the subdivider shall either complete the
178 required improvements as shown on the signed improvement plans, or enter into
179 an Improvement Agreement in accordance with Calistoga Municipal Code
180 Section 16.18.070.
- 181 20. A final map, as defined in the State Subdivision Map Act and prepared by a
182 licensed surveyor or civil engineer, showing all parcels, rights-of-way, and
183 easement(s) shall be filed with the City Engineers Office. Upon recording of the
184 map, the subdivision is valid.
- 185 21. A complete set of *As-Built* or Record improvement plans showing all constructive
186 changes from the original plans shall be submitted to the Public Works
187 Department prior to acceptance of the public improvements.
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189 22. Prior to acceptance of the work, the subdivider shall provide a written statement
190 signed by an engineer certifying that they observed the work during construction
191 and that site grading and all private site improvements have been completed in
192 accordance with the improvement plans approved by the City Engineer.

193 23. Prior to acceptance of the work, the subdivider shall provide a written statement
194 signed by a geotechnical engineer certifying that they observed the work and
195 reviewed testing results, and that all work was performed in accordance with the
196 recommendations included in the Soils Investigation/Geotechnical Report or other
197 recommendations necessitated by field conditions.

198 PASSED AND ADOPTED by the Planning Commission of the City of Calistoga at
199 a regular meeting held this 24th day of September 2014, by the following vote:

- 200
- 201 AYES:
- 202 NOES:
- 203 ABSENT:
- 204 ABSTAIN:

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JEFF MANFREDI, Chair

ATTEST: _____
LYNN GOLDBERG
Planning Commission Secretary